IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.2427 OF 2005

M/s.HJK Lok Darshan Co-op. Hsg. Soc..Petitioner

Vs.

The Municipal Corporation of

Greater Mumbai ..Respondent

Mr. Vinay J. Hegde, for the Petitioner
Mrs. A.K. Savla, for Respondent No.1.
Mr. D.H. Mehta i/b. Pravin Mehta & Mithi & Co., for
the respondent No.2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 16TH OCTOBER,2006

P.C.

. The petitioner had come to this Court on the ground that the premises which was constructed for maternity home are being misused by strangers. On notice to the respondents, on behalf of respondent No.2 their learned Counsel makes a statement that they have handed over the premises to the respondent No.1. Counsel for the Respondent No.1 confirms the fact that the premises have been handed over. It is pointed out that a maternity home is being run about 1.5 Kms. from the new premises and as such they are not in a position to run a second maternity home. They had, however, advertised for giving the premises in terms of the policy of the Corporation. They received only one offer. As such it was not accepted. Counsel states that they propose to readverise the same. Considering that we are satisfied that the premises have been taken over by

respondent No.1 from the respondent No.2. The respondent No.1 is directed to take steps in law to see that the premises are gainfully used and they are not misused by strangers. If the petitioners have any grievance regarding misuse of the premises by anti social elements it will be open to them to file complaint to the Police. With the above observations, petition stands disposed of. No order as to costs.

(F.I. REBELLO, J)

(ANOOP V. MOHTA,J).